



The Comptroller General
of the United States

Washington, D.C. 20548

Decision

Matter of: Wright Tool Company

File: B-223821.2

Date: September 11, 1986

DIGEST

Protest by nonresponsive bidder that award to next low bidder at a higher cost would be improper does not state valid basis of protest because protester offers no reason why a finding that the higher bidder's price is reasonable would be an abuse of the contracting officer's discretion.

DECISION

Wright Tool Company protests any award to the next highest bidder under invitation for bids (IFB) No. DAAA09-86-B-0021, issued by the Army for hydraulic pump kits.


In a prior decision, Wright Tool Co., B-223821, Aug. 21, 1986, 86-2 CPD ¶ ___, we dismissed Wright's protest of the rejection of its bid under this small business set-aside as nonresponsive because Wright indicated in its bid that not all the supplies to be furnished would be manufactured by a small business concern. Wright has not objected to that decision, but contends that it would be improper for the agency to make award to the next low bidder at an additional cost of \$58,169.90.

Before awarding a contract, the contracting officer must determine that the price at which the contract would be awarded is reasonable. Federal Acquisition Regulation (FAR), 48 C.F.R. § 14.407-2 (1985). The authority vested in the contracting officer to make such a determination is extremely broad and we will not question his conclusion unless it is unsupported or there is a showing of bad faith or fraud. Eclipse Systems, Inc., B-216002, Mar. 4, 1985, 85-1 CPD ¶ 267. A determination of price reasonableness may be based upon comparison with such things as a government estimate, past procurement history, current market conditions, or any other relevant factors. Ralph Construction, Inc., B-220006, Dec. 12, 1985, 85-2 CPD ¶ 650. Hence, the fact that a lower

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nonresponsive bid has been received does not preclude award at a higher price. Here the protester has offered absolutely no basis for its belief that the price offered by the bidder in line for award is unreasonably high. Under these circumstances, we must conclude that the protester has not stated an adequate basis for protest as required by 4 C.F.R. § 21.3(f) (1986).

The protest is dismissed.



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